

TRUSTEE COUNCIL RESOLUTION 05-3
ADOPTED December 19, 2005

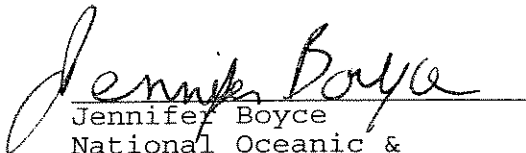
**MONTROSE TRUSTEE COUNCIL RESOLUTION REGARDING
Funding for the Montrose Settlements Restoration Program:
Transfer of Funds from Court Registry Accounts to Department of
Interior Damage Assessment and Restoration Fund**

1. The National Oceanic and Atmospheric Administration; the State of California acting through the State Lands Commission, the Department of Parks & Recreation and the Department of Fish & Game; and the Department of the Interior, acting through the U.S. Fish & Wildlife Service and the U.S. Park Service are the natural resource trustees (Trustees) for natural resources injured by releases of DDT and PCBs into the Southern California Bight.
2. Sums recovered in the civil action *United States, et al. v. Montrose Chemical Corp., et al.*, No. CV 90-3122-R (C.D. Cal. 1990) are being held in the Department of the Interior Natural Resource Damage Assessment and Restoration Fund (DOI Restoration Fund) and the registry accounts administered by the U.S. District Court for the Central District of California.
3. The Trustees have entered into a memorandum of agreement (MOA), as modified, that establishes a Trustee Council (Montrose Trustee Council) composed of one voting member for each trustee agency. Under the terms of that MOA, the Montrose Trustee Council is authorized to disburse funds for activities related to the damage assessment and restoration process.
4. As of August 2005, funds deposited in the Court Registry accounts accrued interest at a rate of approximately 1.6 percent. Funds deposited in the DOI Restoration Fund accrue interest at a rate of 3.75 percent and greater. A transfer of funds from the Court Registry account to the DOI Restoration Fund will permit those funds to accrue interest at a higher rate.
5. The Montrose Trustee Council resolves unanimously to authorize the following amounts be withdrawn from the Court Registry accounts for deposit in the DOI Restoration Fund:
 - (a) Potlatch and Simpson Account, 001-354248 / 1-654-0000-4991, all funds remaining in account to be withdrawn.
 - (b) Potlatch and Simpson Account, 001-354485 / 1-654-0000-5022, all funds remaining in account to be withdrawn.
 - (c) CBS Account, 21303845, all funds remaining in account to be withdrawn.

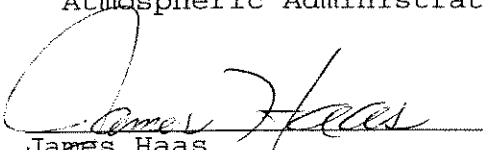
- (d) LACSD Account, 153491890551, all funds in excess of \$19,500,000 to be withdrawn (this amount to be calculated after the transfer of \$4,000,000 to NOAA that was submitted to the Department of Justice in November 2005).

6. The effective date of the Resolution shall be the date on which the last trustee signs this document.


CONCURRED in by the following who are the duly authorized Montrose Trustee Council Representatives:


Jennifer Boyce
National Oceanic &
Atmospheric Administration

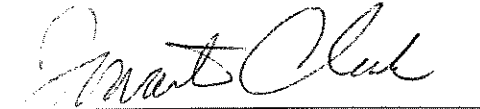
Dec 19, 2005
Date


James Haas
U.S. Fish & Wildlife Service

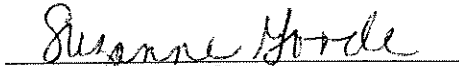
Dec 19, 2005
Date


Kate Faulkner
National Park Service


Dec 19, 2005
Date


Jonathan Clark
State Lands Commission

Dec 19, 2005
Date


Suzanne Goode
Department of Parks &
Recreation

12-19-05
Date


Patricia Velez
Department of Fish & Game

12-19-05
Date